

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID BAGBY,

Petitioner,

v.

JEFFREY A UTTECHT,

Respondent.

CASE NO. 3:20-CV-05988-BJR-DWC

ORDER

Petitioner David Bagby, who is proceeding *in forma pauperis* and *pro se*, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. Dkt. 5. In his Petition, Petitioner named the State of Washington as Respondent. *See id.* The proper respondent to a habeas petition is the “person who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham v. United States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). According to his Petition, Petitioner is currently confined at Coyote Ridge Corrections Center (“CRCC”) in Connell, Washington. *See* Dkt. 5. The Superintendent of CRCC is Jeffrey A. Uttecht.

1 Accordingly, the Clerk of Court is directed to substitute Jeffrey A. Uttecht as the
2 Respondent in this action. The Clerk of Court is also directed to update the case title.

3 Dated this 12th day of November, 2020.

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6 David W. Christel
7 United States Magistrate Judge
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